Mr. SPEAKER.—There are Bills Serial Nos. 2, 3, 4, 5 and 6 to be taken up to-morrow. They seem to be important Bills including the Mysore Appropriation Bill (No. 4) which is also a very important Bill. I am afraid there may be no time.

The Mysore Prohibition of Smoking in Show Houses and Public Halls Bill, 1952.

Motion to consider.

Sri H. SIDDAVEERAPPA (Minister for Home Affairs).—Sir, I move :

> "That the Mysore Prohibition of Smoking in Show Houses and Public Halls Bill, 1952, be taken into consideration."

Sir, as you are aware, the Government of Mysore have, by a notification in 1950, prohibited smoking in cinema houses and that has been in force from the period of that notification. In the Cinematograph Act of 1946, a new rule, *viz.* Rule 58-A has been inserted. The object of this measure is that whenever smoking has been resorted to, particularly in public places, those that have gone there for similar recreation will find it hard to amuse themselves and there are some who do not like smoking and not only that, particularly in cinema houses it is bound to cause annoyance, as the vision, I am told, is likely to be blurred if there is excessive smoking in the cinema houses. Although by means of a Government notification we have already prohibited smoking in cinema houses, it was found that a legislative enactment was necessary for the simple reason that if there was any wilful breach, the Government were not clothed with any legislative enactment to book the offender or get him punished. Already Madras and West Bengal have got over a difficulty of this nature. Such a situation arose there and legislative enactments were passed. Therefore, the Government have thought it fit to bring forth a legislative enactment in order to clothe themselves with legal power.

The definition with regard to 'Show House' has been rather enlarged. It has been made clear that these terms refer not only to Cinema Houses but also to other places of amusements such as Drama, Dances Physical feats, *etc.* We have also made it clear as to when smoking should not be resorted to in those particular places. It has been very clearly mentioned in clause 3 that smoking should not take place at least 30 minutes before the commencement of the demonstration. The penalty clause also is there. Whoever tries to violate any of the provisions mentioned in this Act may be physically expelled from the place of public resort by a police officer on the spot and not only that, he may be prosecuted and punished as mentioned here, that is, he may be fined to the tune of Rs. 50 for the first offence and Rs. 100 for the second offence. I believe some of my Hon'ble friends here will certainly agree with me................

Sri B. HUTCHE GOWDA.—Who are not smokers.

Sri H. SIDDAVEERAPPA.—If I may say so, although I am a smoker, I do welcome this measure in the larger interests of the State and in the larger interests of those who have recourse to places of public amusement and I do believe that it will have the universal support of this House and I commend the Bill for the approval of the House.

Mr. SPEAKER.—Motion moved :

> "That the Mysore Prohibition of Smoking in Show Houses and Public Halls Bill, 1952, be taken into consideration."

Janab J. MOHAMED IMAM (Jagalur). —I regret very much that this Bill cannot have the universal support of this House.

Mr. SPEAKER.—Overwhelming majority then.

Janab J. MOHAMED IMAM.—But there will be effective and qualitative opposition. It is the right of every citizen, and it is a civil right, to smoke, to snuff and to practice other habits which are not injurious to the society at large. This Bill fundamentally aims at the curtailment of the civil liberty of the citizens. Of course, there should

(JANAB J. MOHAMED IMAM)

be curtailment of civil liberty if it affects the society to a large extent. The Government of Mysore was pleased to enforce the prohibition of smoking in cinema houses through an executive order. This was much to the discomfiture of those persons who smoke. We do not raise much objection to this because we were given to understand that smoking in a closed house like a Cinema would be injurious to the health of others. I do not totally agree with this theory because smoking was going on in cinemas from a very long time and there were no complaints from the public. But this Government, perhaps following the example of the Government of Bombay or Madras, introduced this measure and passed the Government Order prohibiting smoking in cinema houses. If the Government had aimed at legalising the prohibition of smoking only in cinema houses, perhaps I would not have had much objection, but that prohibition has proved the thin end of the wedge and now by this legislation they want to prohibit smoking in any place where there is a symptom of entertainment or a symptom of gathering of the public and this definition of the words 'Show House' is really one which we cannot accept. So far as Cinema House is concerned, I do agree that there are inflammable materials all round and the show of the picture takes place within a closed house, but to extend it to a dramatic performance, musical performance, dances, physical feats and even to wrestling, boxing, billiards and table tennis competitions or other amusements or diversions, is a thing which we cannot accept.

As a matter of fact, if the rules are applied strictly, I fear that the smoker will have no chance to smoke even in a lounge where some sort of an entertainment is going on. Take for example the Billiards Table, in the Century Club. Many members smoke. Two persons will be playing billiards and a few will be watching. Even in such places no person can smoke. Take the case of a dancing hall, or a place where wrestling is going on. Wrestling generally goes on in a sort of covered house and the persons who witness cannot smoke. I think this is wholesale curtailment of the civil liberties of the people. Such a thing we cannot accept. Even in a hotel I think a person cannot smoke. In a dancing hall, for example.........

Sri H. SIDDAVEERAPPA.—I have no experience.

Janab J. MOHAMED IMAM.—That is why you have brought this Bill. In a dancing hall it is essential that smoking is permitted. I would therefore request the Government to reconsider. They have now introduced prohibition of smoking in cinema houses. Even there, personally I am not for introducing prohibition of smoking, but since the reason given that smoking is injurious to so many others, let it re main, but do not take away this amenity from all other places. The present definition of "Show House" and "Public Halls" if given effect to will be a real hardship to Society. That will be a wholesale curtailment of the civil liberties of the people.

Secondly, I wish to touch upon the measures they are adopting to enforce this prohibition of smoking. It is very derogatory and very insulting. Any person who is found smoking can be pushed out of the hall by any Police Officer who may be a Daffedar or a Constable. Suppose there is a person who is not aware of the rules and he smokes. I myself indulged in smoking in a place where it is prohibited. The Police Officer Politely requested me and I desisted. But suddenly to be pushed out, is this the way how you are going to treat respectful citizens? In a *bona fide* case, not only is the gentleman pushed out, but he is taken to the court and fined Rs. 50 for even the first offence. This is a measure which no self respecting citizen of the State can accept. I have to oppose this measure stoutly. Because it is a curtailment of the fundamental liberties of the pepole who cannot have that amount of enjoyment as is permitted by law. If the Government feel that smoking is bad, why do they not prohibit it by legislation? I would say, enforce prohibition of smoking.

When it is legally allowed, it must be allowed at a place where you feel that there is no injury to society.

(Interruption from Sri A. Bheemappa Naik) My friend Sri Bheemappa Naik is always between me and the Home Minister.

Mr. SPEAKER. - Sri Bheemappa Naik is not allowed to smoke in the Assembly.

Jahab J. MOHAMED IMAM.—Of course, Government can prohibit smoking in the Assembly. But to prohibit smoking in all such places as dancing halls or where there is a billiard match, a table tennis match, or a place where wrestling is going on, is not fair. I submit that the whole Bill requires recasting and it is only in consultation with a small committee appointed from this House that a new Bill can be drafted.

Another thing that I would like to state is—if you prohibit smoking, why do you not prohibit snuffing also? Snuffing is much more dangerous than smoking. If a pinch of snuff is accidentally dropped into another's eye, it is much more dengerous than smoking. I see that the Hon'ble Chief Minister is not here. I would say that therefore request Government not be too rigorous on smokers that. They should reconsider. If the Government pass this Bill wholesale, as it is, I would say they are taking away all fundamental rights and liberties of the people of Mysore.

Sri P. R. RAMAIYA (Basavangudi).—It was with great interest that I listented to my Hon'ble friend Janab Imam who championed the cause of smokers.

Janab J. MOHAMED IMAM.—On a point of correction, Sir. I never championed the cause of smokers but of citizens.

Sri P. R. RAMAIYA.—Sir, there are smokers as well as non-smokers. It is to show some consideration to non-smokers that this Bill is intended. Perhaps the smoker who indulges in that habit does not realise how offen-sive and how repugnant it will be to those who have not been addicted to smoking and also to those who have not been accustomed to bear this smoking. Quite apart from the rights of smokers, my friend spoke about civil liberty, civil right, etc ; certainly, I respect those rights and liberties. But those rights have to be practised in such a way as not to affect others who do not like that habit. It is for this reason that this Bill is introduced in the interests of smokers as well as non-smokers. In entertainment places, there are a number of occasions on which they can indulge in smoking. There is the interval time and they can go out and indulge in their favourite habit. Also if they find it difficult to sit smoking within the entertainment hall, they can go out and thus not offend the persons who sit inside. The other day we listened to the complaint of lady members who felt that this smoking habit goes so far that some of the smokers do not have any consideration for ladies also.

(A Voice What about lady smokers?)

Lady smokers are like gentleman smokers. Somehow, Sir, smoking is not a common habit in this country. It may be a common habit in England and other countries. Even in England I have heard that smokers have great consideration for non-smokers. In cinema houses, the smokers do not smoke.

2–30 P.M.

In olden days there was a big contrast between the cinemas in the City and those in the Civil Area. In the City cinemas, there used to be one thick wall of smoke. In the Civil Area cinemas, no doubt, people indulged in smoking but it was not in such an offensive manner. There is not much argument against this Bill. Further, we cannot ask smokers not to smoke. Let them smoke but there is a place meant for that. In the Show House let them not indulge in that habit, more in consideration for others. After all our rights and liberties should be adjusted to the convenience of others. Thefore I think we need not prolong any discussion on this point and I am sure that if this Bill is passed, it will be to the health and also convenience of the people and it will also promote decency among the people.

Sri K. PATTABHIRAMAN (Kolar).—Mr. Speaker, after hearing the trend of discussion in this House, I find myself not able to understand what exactly was the object with which the Hon'ble Minister sponsored this Bill. I can understand his attempt at trying to remedy certain defects or to place certain checks on extravagance of smoking.

ಸಭಾಪತಿ, ಈ ಮಸೂದೆಯ ವಿಚಾರದಲ್ಲಿ ಇದುವರೆಗೂ ಆಗಿರತಕ್ಕ ಚರ್ಚೆಯಿಂದ ಒಂದೆರಡು ವಿಷಯಗಳು ನನ್ನ ಮನಸ್ಸಿಗೆ ಬಂದದ್ದು ಈ ಸಭೆಯಮುಂದೆ ಇಡುತ್ತಾ ಇದ್ದೇನೆ. ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಈ ಮಸೂದೆಯನ್ನು ನಮ್ಮಮುಂದೆ ಇಡುವಾಗ ಯಾವ ಉದ್ದೇಶದಿಂದ ಇಟ್ಟಿದ್ದಾರೆ ಎಂಬುದನ್ನು ನಾನು ಸ್ವಲ್ಪ ತಿಳಿದುಕೊಳ್ಳಬೇಕಾಗಿದೆ. ಅವರ ಭಾಷಣದಿಂದ ನಾನು ಅರ್ಥಮಾಡಿಕೊಂಡೆ; ಆದರೆ ಈಗ ಆಗಿರತಕ್ಕ ಚರ್ಚೆಯಿಂದ ಆ ಅರ್ಥ ಬೇರೆ ತರಹ ಕಾಣುತ್ತಾ ಇದೆ ಎಂದು ನನಗನ್ನಿಸುತ್ತಿದೆ. ಸಿಗರೇಟು ಕುಡಿಯುವವನ ವಿಚಾರದಲ್ಲಿ ಪ್ರಾಯೋಗಿಕವಾದ ಒಂದು ವ್ಯವಸ್ಥೆಯನ್ನು ಉಂಟುಮಾಡಬೇಕು. ಆತನನ್ನು ಬಹಳ ಒಳ್ಳೆಯವನನ್ನಾಗಿ ಮಾಡಬೇಕು, ಸಿಗರೇಟು ಕುಡಿಯುವುದು ಚೆನ್ನಾಗಿಲ್ಲ, ತಪ್ಪು ಎಂಬ ಭಾವನೆ ಆತನಿಗೆ ಬರಬೇಕು ಎಂಬ ಉದ್ದೇಶದಿಂದ ಈ ಮಸೂದೆಯನ್ನು ಸಭೆಯಮುಂದಿಟ್ಟಿದ್ದಾರೆ ಎಂದು ತಿಳಿದುಕೊಳ್ಳುವಹಾಗಿಲ್ಲ. ಸಿಗರೇಟು ಕುಡಿಯುವವನಿಂದ ಬೇರೆಯವರಿಗೆ ಆಗತಕ್ಕ ತೊಂದರೆಗಳನ್ನು ಪರಿಹಾರಮಾಡತಕ್ಕ ಒಂದು ವ್ಯವಸ್ಥೆ ಇದು ಎಂದು ನಾನು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಬಹುಶಃ ಸಿಗರೇಟು ಕುಡಿಯುವುದು ಒಳ್ಳೆಯದೇ ಅಥವಾ ಕೆಟ್ಟದ್ದೇ ಎಂಬ ಪ್ರಶ್ನೆ ಈ ಸಂದರ್ಭದಲ್ಲಿ ಅಪ್ರಕೃತ. ಆದ್ದರಿಂದ ಅದಕ್ಕೆ ಕೈ ಹಾಕಬೇಕಾಗಿಲ್ಲ. ಸಿಗರೇಟು ಕುಡಿಯುವವರ ವಿಚಾರ ಬೇರೆ. ಅದು ಆರೋಗ್ಯ ಇತ್ಯಾದಿಗಳ ವಿಚಾರ. ಈಗ ಯೋಚನೆಮಾಡಬೇಕಾದದ್ದು ಏನೆಂದರೆ, ಸಿಗರೇಟು ಕುಡಿಯುವವರಿಂದ ಬೇರೆ ಜನಗಳಿಗೆ ಆಗತಕ್ಕ ತೊಂದರೆಯನ್ನು ಕಾನೂನು ಮೂಲಕ ನಿಷೇಧಿಸಲಿಕ್ಕೆ ಸಾಧ್ಯವಿದೆಯೇ ಎಂಬುದು. ಅದರಲ್ಲಿ ಒಂದೆರಡು ವಿಚಾರಗಳು ನನ್ನನ್ನು ಬಾಧಿಸುತ್ತಿವೆ. ಸಿನಿಮಾ ಮಂದಿರಗಳಲ್ಲಿ ಸಿಗರೇಟು ಕುಡಿಯುವುದರಿಂದ ಬಹಳ ಅನಾನುಕೂಲಗಳಾಗುತ್ತವೆ ಎಂಬುದನ್ನು ಒಪ್ಪಿಕೊಳ್ಳಬಹುದು. ಅದಕ್ಕೆ ಕೈ ಹಾಕುವುದಿಲ್ಲ. ನಮ್ಮ ಮುಂದಿರತಕ್ಕ ಮಸೂದೆಯನ್ನು ತೆಗೆದುಕೊಂಡರೆ ಅದರಲ್ಲಿ 2-3 ವಿಚಾರಗಳು ಬಾಧಿಸುತ್ತಾ ಇವೆ. ಸ್ವಲ್ಪ ಅವರು ನೋಡಬೇಕು. ಇಂಗ್ಲೀಷ್‌ನಲ್ಲಿ ಎರಡುಮಾತು ಹೇಳಲೇ ಬೇಕಾಗುತ್ತದೆ. ಒಂದನೆಯದು ಎರಡನೆಯ ಸೆಕ್ಷನ್‌ನಲ್ಲಿ 'Show House' ಎಂಬುದಕ್ಕೂ, 'Public Hall' ಎಂಬುದಕ್ಕೂ ವಿವರಣೆಕೊಟ್ಟಿದ್ದಾರೆ. 'Show House' ಎಂಬುದರ ಅರ್ಥ ವಿವರಣೆಯ ಪ್ರಕಾರ ಅದು ಎಲ್ಲಿಯವರೆಗೂ ಹೋಗುತ್ತದೆ ಎಂಬುದನ್ನು ಜನಾಬ್ ಇಮಾಂರವರು ಈಗಾಗಲೇ ತಿಳಿಸಿದ್ದಾರೆ. ಯಾವುದಾದರೂ ಒಂದು 'ಕ್ಲಬ್'ಗೆ ಪ್ರಪಂಚದಲ್ಲಿ ಅತ್ಯಂತ ಹೆಸರುವಾಸಿಯಾದ ಉನ್ನತ ಬಿಲಿಯರ್ಡ್ಸ್ ಚಾಂಪಿಯನ್ ಬರುತ್ತಾನೆ ಎಂದು ಇಟ್ಟುಕೊಳ್ಳೋಣ. ಬೆಂಗಳೂರಿನವರು ಮಾನ್ಯ ಮಂತ್ರಿಗಳ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ಸಭೆ ಸೇರಿಸಿ ಆತನ ಆಟ ಪಾಟಗಳಿಂದ ಜನಗಳು ಆನಂದಪಡಲಿ ಎಂದು ಏರ್ಪಾಡು ಮಾಡತಕ್ಕ ಸಮಯ ಬಂದರೆ ಅದಕ್ಕೆ 'Show House' ಎಂಬ ಡೆಫನಿಷನ್ ಸರಿಹೋಗುತ್ತದೆಯೇ? ಸಿಗರೇಟ್ ಕುಡಿಯದೇ ಬಿಲಿಯರ್ಡ್ಸ್ ಚಾಂಪಿಯನ್ ಆಟ ಆಡುವುದೇ ಇಲ್ಲ. ಅಲ್ಲಿಗೆ ಪೋಲೀಸ್ ಆಫೀಸರು ಬರುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲ. ಆಟ ಪ್ರಾರಂಭವಾಗುವುದಕ್ಕೆ ಅರ್ಧ ಘಂಟೆ ಮುಂಚೆ, ಮುಕ್ತಾಯವಾದಮೇಲೆ ಅರ್ಧ ಘಂಟೆ ವರೆಗೂ ಸಿಗರೇಟ್ ಸೇದುವುದನ್ನು ನಿಷೇಧಿಸಲಾಗಿದೆ ಎಂದು ತಿಳಿಸಿದ್ದರೂ ಅದನ್ನು ಉಲ್ಲಂಘನೆ ಮಾಡಿದಪಕ್ಷದಲ್ಲಿ ಆರೀತಿ ಮಾಡಿದವರನ್ನು ಪೋಲೀಸ್ ಆಫೀಸರು ಬಂದು 'ಇಜೆಕ್ಟ್' ಮಾಡಬಹುದು ಎಂದು ತಿಳಿಸಿದ್ದೀರಿ. ಈ ಸಂದರ್ಭದಲ್ಲಿ ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ 'ಇಜೆಕ್ಟ್' ಎನ್ನುವ ಆ ಪದ ಸರಿಯಾಗಿದೆ ಎಂದು ವಾದಿಸಲಿಕ್ಕೆ ಹೋಗಬೇಡಿ. 'ಇಜೆಕ್ಟ್

ಎನ್ನುವ ಪದದಿಂದ ಏನಾಗುತ್ತದೆ ಎಂಬುದು ಲಾಯರುಗಳಿಗೆಲ್ಲಾ ಗೊತ್ತಿದೆ. ಹೊರದೂಡಿ ಸತಕ್ಕ ಅಧಿಕಾರದಿಂದ ಪೋಲೀಸ್ ಆಫೀಸರು ಬಂದು ನಿಂತುಕೊಂಡು ಅಗೌರವಯುತವಾಗಿ ಮಾಡತಕ್ಕ ಕೆಲಸ, 'ಇಜೆಕ್ಟ್' ಎನ್ನುವುದು. ಇದರಡೆಫನಿರ್ಷ ಅಷ್ಟುದೂರ ಹೋಗಲಾರದು ಎಂದು ಅಂದುಕೊಂಡಿದ್ದೇನೆ. ಸ್ವಲ್ಪ ಯೋಚನೆ ಮಾಡಬೇಕು.

ಎರಡನೆಯದರ ಡೆಫನಿರ್ಷ ವಿವರಣೆ ತೆಗೆದು ಕೊಳ್ಳಿ. 'ಪಬ್ಲಿಕ್ ಹಾಲ್ಸ್' ಎಂದರೆ ಯಾವುದು ಎಂಬುದನ್ನು ಯೋಚನೆ ಮಾಡೋಣ. ಈ ಸೆಕ್ಷನಲ್ಲಿ ಹೀಗೆ ಇದೆ—'Every person who controls the deliberations of a public assembly or meeting in a Public Hall shall bring to the notice of the audience' ಎಂದು ಇದೆ. 'Every person who controls the deliberations of a public assembly' ಎಂದರೆ ಏನು ಆಯಿತು ?. ಯಾವುದಾದರೂ ಒಂದು ಸಭೆ ನಡೆಸಿ ಎಂದು ಹೇಳಿ ಈ ಸಭೆಯ ಅಧ್ಯಕ್ಷರು ಅದರ ಅಧ್ಯಕ್ಷತೆಯನ್ನು ವಹಿಸಬೇಕೆಂದರೆ ಅಧ್ಯಕ್ಷತೆ ವಹಿಸಿದಕೂಡಲೆ ಕಾರ್ಯಕ್ರಮ ಪ್ರಾರಂಭ ಮಾಡುವುದಕ್ಕಿಂತ ಮುಂಚೆ ಸಿಗರೇಟು ಕುಡಿಯಕೂಡದು ಎಂಬ ಬೋರ್ಡು ಹಾಕಿದ್ದಾರೆಯೇ, ಇಲ್ಲವೇ ಎಂಬುದನ್ನೆಲ್ಲಾ ಕೇಳಬೇಕಾಗುತ್ತದೆ. ಇದು ಬಹಳ ದೂರ ಹೋಗುತ್ತದೆ. ಕಾನೂನು ಮಾಡುವುದು ಬಹಳ ಸುಲಭ. ಶಾಸನ ಕಡತಕ್ಕೆ ಕಾನೂನು ತರುವುದು ಬಹಳ ಸುಲಭ. ನ್ಯಾಯಾಸ್ಥಾನಗಳಲ್ಲಿ ವಿಮರ್ಶೆಗೆ ಬಂದಾಗ ವೈಪರೀತ್ಯ ಉಂಟಾಗಿ ತೊಂದರೆಯಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಈ 2-3 ಡೆಫನಿರ್ಷಗಳನ್ನು ಬದಲಾವಣೆಮಾಡಿ. ತಮ್ಮ ಉದ್ದೇಶ ಅದು ಅಲ್ಲ ಎಂದು ಕಾಣುತ್ತದೆ. Public Assembly or meeting in a Public Hall ಎಂಬುದನ್ನು ಯಾವುದಕ್ಕೆ ವಹಿಸಬೇಕೆಂಬುದನ್ನು ಯೋಚನೆ ಮಾಡೋಣ. ನನಗೆ ಹೀಗೆನ್ನಿಸುತ್ತದೆ. ಸಿನಿಮಾ ಹೌಸ್ ಎಂದರೆ ಕತ್ತಲೆಯಲ್ಲಿ ಆಟ ಆಗುವುದು, ಬಾಗಿಲು ಕಿಟಕಿ ಎಲ್ಲಾ ಮುಚ್ಚಿರುತ್ತಾರೆ, ಹೆಚ್ಚು ಜನ ಕುಳಿತುಕೊಳ್ಳುತ್ತಾರೆ, ಧೂಮಪಾನ ಮಾಡಬಾರದು, ಆರೋಗ್ಯಕ್ಕೆ ಬಹಳ ತೊಂದರೆ, ಇತರ ಕೆಲಸಕಾರ್ಯಗಳಿಗೂ ತೊಂದರೆ ಆಗುತ್ತದೆ. ಅದನ್ನು ಸರಿಪಡಿಸಲಿಕ್ಕೆ ಸಿನಿಮಾ ಮಂದಿರಗಳಲ್ಲಿ ಸಿಗರೇಟು ಕುಡಿಯುವುದು ಬೇಡ ಎಂದು ಕೊಂಡಿದ್ದೇನೆ. ಅಷ್ಟು ಮಾತ್ರ ಹೋದರೆ ಸಾಕಾಗುತ್ತದೆ. ಇಂಗ್ಲಿಷ್ ನಲ್ಲಿ ಹೇಳುವುದಾದರೆ ಈಗ ಇರುವಂತೆ ಮಾಡುವುದು extravagant ಆಗುತ್ತದೆ. ಅವರ ಅಭಿಪ್ರಾಯ ಹಾಗೆ ಇರಲಾರದು. ಆದ್ದರಿಂದ ಅಷ್ಟುದೂರ ಹೋಗುವುದು ಬೇಡ. ಸ್ವಲ್ಪ ಯೋಚನೆಮಾಡಿ ಆ ಕ್ಲಾಸುಗಳನ್ನು ಪಾಸ್ ಮಾಡಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳುತ್ತೇನೆ. ಈಗ ಇರತಕ್ಕ ಎರಡು ಮೂರು ಡೆಫನಿರ್ಷಗಳಿಂದ ಮುಂದೆ ಅನೇಕ ತೊಂದರೆಗಳು ಬರಬಹುದು. ಆದ್ದರಿಂದ ಸಿನಿಮಾ ಮಂದಿರಗಳಿಗೆ ಮಾತ್ರ ಈ ನಿಷೇಧ ಉಂಟುಮಾಡೋಣ.

ಶ್ರೀ ಕೆ. ಲಕ್ಕಪ್ಪನವರು.—ಎಕ್ಸಿಬಿರ್ಷ ವಿಚಾರದಲ್ಲಿ ಏನು ಹೇಳುತ್ತೀರಿ. ಅಲ್ಲಿ ಅನಾಹುತ ಆಗಲಿಲ್ಲವೇ ?

ಶ್ರೀ ಕೆ. ಪಟ್ಟಾಭಿರಾಮರ್ರವರು.—ಅದಕ್ಕೆ ಬೇರೆ ಮಸೂದೆ ಇಟ್ಟಿದ್ದಾರೆ. ಅದು ಬಂದಾಗ ಯೋಚನೆ ಮಾಡೋಣ. ಆದ್ದರಿಂದ ಮಾನ್ಯ ಮಂತ್ರಿಗಳಿಗೆ ಇಷ್ಟುಮಾತ್ರ ಸಲಹೆ ಕೊಡಬೇಕೆಂದು ಇಷ್ಟಪಡುತ್ತೇನೆ. ಆ ವಿವರಣೆ ಬಹಳ ದೂರ ಹೋಗುತ್ತದೆ. ಕಾನೂನು ದೃಷ್ಟಿಯಿಂದ ಬಹಳ ತೊಂದರೆಯಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ಜನಾಬ್ ಇಮಾಂರವರು ಹೇಳಿದ ಅನೇಕ ಕಾರಣಗಳನ್ನು ನಾನು ಪೂರ್ಣವಾಗಿ ಸ್ವಾಗತಿಸುತ್ತೇನೆ. ಇದರ ಉದ್ದೇಶ ಬಹಳ ಚೆನ್ನಾಗಿದೆ. ಉದ್ದೇಶವನ್ನು ಎಲ್ಲರೂ ಸ್ವಾಗತಿಸುತ್ತಾರೆ. ಉದ್ದೇಶ ಸಾಧನೆ ಮಾಡುವಾಗ ಯಾವ ಒಂದು ಅನಾನುಕೂಲ ಪರಿಸ್ಥಿತಿಗೂ ಅವಕಾಶವಿಲ್ಲದಹಾಗೆ ಬದಲಾವಣೆ ಮಾಡಿದರೆ ಒಳ್ಳೆಯದು. ಆ ರೀತಿ ಬದಲಾವಣೆಗೆ ಒಪ್ಪಿಗೆ ಕೊಟ್ಟರೆ ಎಲ್ಲರಿಗೂ ಪ್ರಿಯವಾಗಿರುತ್ತದೆ ಎಂದು

(ಶ್ರೀ ಕೆ. ಪಟ್ಟಾಭಿರಾಮ್‌ರವರು)
ಕೇಳಿ ಎರಡು ಮಾತುಗಳನ್ನು ತಮ್ಮ ಮುಂದೆ ಇಡುತ್ತೇನೆ.

Sri R. ANANTHARAMAN (Chamarajapet).—In Clause 3, sub-clause (3) it is said :

> "...punishable with fine which may extend to fifty rupees and for a second or subsequent offence with fine which may be extended to one hundred rupees."

It is not enough to leave it there. Supposing the person has no money to pay in the Court, he will not be given any other punishment in default of it. It is better to say, 'in default of payment of fined,' punishment may be added. Otherwise, the object of this Bill would be frustrated.

Mr. SPEAKER.—The Hon'ble Member knows the method of recovery if the fine is not paid.

*ಶ್ರೀ ಡಿ. ದೇವರಾಜಅರಸ್‌ರವರು (ಹುಣಸೂರು).—ಈಗ ಹಾಕಿರತಕ್ಕ ಶಿಕ್ಷೆಯೇ ಜಾಸಿಯೆಂದು ಹೇಳುತ್ತಿರುವಾಗ, ಇನ್ನೂ ಹೆಚ್ಚಿಗೆ ಮಾಡಿ ಎಂದು ಹೇಳುವುದು ಸರಿಯಲ್ಲ.

Sri A. BHEEMAPPA NAIK (Molakalmuru).—I have full sympathy for certain observations made by Sri Pattabhiraman and the Leader of the Opposition. Sir, there is a saving clause—clause 5.

> "The Government may, by general or special order, direct that all or any of the provisions of this Act shall not apply in respect of any Show House or Public Hall or any demonstration, exhibition or public meeting therein."

This is a saving clause. They may get this provision passed and they may also pass a general order in cases like say, a public meeting, a tennis match or matches of that type. 'Show House' has generally been defined in this case. It is only a definition. But, Government may pass a general order and exempt many of these Shows, many of these public meetings. Of course, I do agree that a Police Constable in this case has been made a judge. He may expel anybody. But, even there, Government may say, 'a police officer not below the rank of so and so.' Even there, they may overcome the defects that Hon'ble members have pointed out. Therefore, Sir, so long as there is clause 5 and if the Government will assure that a general order or a special order be passed exempting the types of Shows pointed out by Members, it may not be difficult for us to accept this. But on that ground alone we need not oppose this Bill and there is no need to refer it to a Select Committee and also there is no need to delay he passing of this Bill.

*ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು (ತುರುವೇಕೆರೆ).—ಸ್ವಾಮಿ, ನಾನಾಗಲೇ ಹೇಳಿದಂತೆ ಈ ಮಸೂದೆಯಲ್ಲಿ ಕೆಲವು ಲೋಪದೋಷಗಳಿವೆಯೆಂಬುದನ್ನು ಪ್ರತಿಯೊಬ್ಬರೂ ಒಪ್ಪಿಕೊಂಡಿದ್ದಾರೆ. ಈ ಮಸೂದೆಯನ್ನು ಅನುಮೋದಿಸಿದವರೂ ಕೂಡ ಇದರಿಂದ ತೊಂದರೆಯಿದೆಯೆಂಬ ಅಂಶವನ್ನು ವ್ಯಕ್ತಪಡಿಸಿದ್ದಾರೆ. ಶ್ರೀಮಾನ್ ಭೀಮಪ್ಪನಾಯಕರೇನೋ 5ನೆಯ ಕ್ಲಾಜು saving clause ಇದೆಯೆಂದು ಹೇಳಿದರು. ಅದರಲ್ಲಿ ಹೇಳಿರುವುದಾದರೂ ಏನು ?

> 'The Government may direct that all or any of the provisions of this Act shall not apply in respect of any Show House or Public Hall ....or public meeting therein.'

ಅಂದರೆ, ಪ್ರತಿಯೊಂದು Show House ನವರು ಒಂದು ಅರ್ಜಿಯನ್ನು ಬರೆದುಕೊಂಡು ಹೋಗಿ ತಮ್ಮಲ್ಲಿ ಸಿಗರೇಟ್ ಸೇದುವುದಕ್ಕೆ ಅವಕಾಶ ಕೊಡಬೇಕೆಂದು ಕೇಳಿಕೊಳ್ಳಬೇಕು ....

ಶ್ರೀ ಎ. ಭೀಮಪ್ಪನಾಯಕರು.—ಒಂದು general order ಮಾಡಬಹುದೆಂದು ಹೇಳಿದೆ !

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು.—ಹಾಗಿಲ್ಲದೆ, ಸ್ಪೆಷಲ್ ಆರ್ಡರ್ ಕೂಡ ಮಾಡಬಹುದೆಂದಿದೆ. ಅಂಥ ಸಂದರ್ಭದಲ್ಲಿ ಸರ್ಕಾರದವರ ದಯಾ

ದಾಕ್ಷಿಣ್ಯದಲ್ಲಿ ಬಾಳಬೇಕೆಂಬುದು ಇದರ ಉದ್ದೇಶವಾಗಿದೆಯೆಂದು ಅರ್ಥವಾಗುತ್ತದೆ. ಈ ರೀತಿಯಾಗಿ ಭಾವಿಸುವುದಾದರೆ ಜನರಿಗೆ ಬಹಳ ಕಷ್ಟವಾಗುತ್ತದೆ. ಹೀಗೆ ಸರ್ಕಾರದವರು ಕಾನೂನು ಮಾಡುತ್ತೇವೆ, ಯಾವಾಗ ಬೇಕಾದರೂ ಅದನ್ನು ಜಾರಿಮಾಡುತ್ತೇವೆ, ಇಲ್ಲದಿದ್ದರೆ ಬಿಟ್ಟುಬಿಡುತ್ತೇವೆ—ಎಂಬ ರೀತಿಯಲ್ಲಿ ಮಾಡುವುದು ಸರಿಯಲ್ಲ. ಕಾನೂನು ಮಾಡಿದಮೇಲೆ ಎಲ್ಲರಿಗೂ ಸರ್ವಸಮನ್ವಯವಾಗಿದ್ದು ಒಂದೇ ರೀತಿಯಲ್ಲಿ ಎಲ್ಲರಿಗೂ ಅನ್ವಯಿಸಬೇಕು. ಅಲ್ಲದೆ ಶ್ರೀಮಾನ್ ಪಟ್ಟಾಭಿರಾಮನ್‌ರವರು ಹೇಳಿದಹಾಗೆ "a place of Public Assembly" ಎಂಬ ಪದದಲ್ಲಿ ಬಹಳ ಅರ್ಥವಾಗುತ್ತದೆ. ಇದರ ಜೊತೆಗೆ ಮೀಟಿಂಗ್‌ನಲ್ಲಿ ಅಧ್ಯಕ್ಷತೆ ವಹಿಸಿರುವವರೂ ಈ ವಿಷಯದಲ್ಲಿ ಜವಾಬ್ದಾರಿ ವಹಿಸಬೇಕೆಂದು ಹೇಳಿದರು. ಯಾವುದಾದರೊಂದು ಸಲ ಒಬ್ಬಾನೊಬ್ಬ ದೊಡ್ಡ ಮನುಷ್ಯರನ್ನು ಕರೆಸಿ ಅವರನ್ನು ಅಧ್ಯಕ್ಷತೆ ವಹಿಸುವಂತೆ ಮಾಡಿದ್ದರೆ ಅವರೂ ಜವಾಬ್ದಾರಿ ವಹಿಸಬೇಕೆಂದು ಹೇಳುವುದು ಬಹಳ ಅವಮರ್ಯಾದೆಗೆ ಅವಕಾಶವಾಗುತ್ತದೆ. ಅವರು ಸಿಗರೇಟನ್ನು ಸೇದದಂತೆ ಏರ್ಪಾಡು ಮಾಡಬೇಕು, ಇಲ್ಲದಿದ್ದರೆ ಆಗಬಾರದ ಶಿಕ್ಷೆಯಾಗುತ್ತದೆಂದು ಹೇಳುವುದು ಬಹಳ ಅನ್ಯಾಯ. ಇದನ್ನು ದಯವಿಟ್ಟು ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ವಾಪಸು ತೆಗೆದುಕೊಳ್ಳಬೇಕು. ಅದರಲ್ಲೂ 50 ರೂಪಾಯಿಗಳ ಜುಲ್ಮಾನೆ!! ಏನು, ಒಂದು ಸಿಗರೇಟ್ ಸೇದಿದ್ದಕ್ಕೆ 50 ರೂಪಾಯಿಗಳ ಜುಲ್ಮಾನೆಯೇ !!

Mr. SPEAKER.—That is the maximum.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು.—ಆದರೂ ಏನು? 50 ರೂಪಾಯಿಗಳನ್ನೂ ಹಾಕಬಹುದಲ್ಲಾ! ನಮ್ಮಲ್ಲಿ ಅನೂಚಾನವಾಗಿ, ಸಾಮಾಜಿಕ ರೂಢಿಯಾಗಿ ಸಿಗರೇಟು ಸೇದುತ್ತಿದ್ದಾರೆ. ಅದಕ್ಕೆ 50 ರೂಪಾಯಿ ಜುಲ್ಮಾನೆ ಹಾಕಿ ನಿಷೇಧಿಸುವುದಕ್ಕೆ ಬದಲು ಹೊಗೆಸೊಪ್ಪನ್ನು ಬೆಳೆಯುವುದನ್ನು ಮತ್ತು ಸಿಗರೇಟನ್ನು ನಮ್ಮ ಸಂಸ್ಥಾನಕ್ಕೆ ತರಿಸುವುದನ್ನೇ ನಿಲ್ಲಿಸಿ ಸಿಗರೇಟು ಮುಂತಾದುವುಗಳನ್ನು ಉಪಯೋಗಿಸುವುದು ಶರೀರಕ್ಕೆ ಒಳ್ಳೆಯದಲ್ಲವೆಂದು ಹೇಳಿದರೆ ಎಲ್ಲರೂ ಒಪ್ಪುತ್ತಿದ್ದರು.

Sri H. SIDDAVEERAPPA.-In Mysore, as you are aware, smoking has a place of pride. You have probably read the All-India Tobacco Report.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು.—ಅವರ argument ಗೇ ಅವರು ವ್ಯತಿರಿಕ್ತವಾಗಿ ಹೇಳುತ್ತಿದ್ದಾರೆ!

ಶ್ರೀ ಎಚ್. ಸಿದ್ದವೀರಪ್ಪನವರು.—ನನ್ನ argument ವಿರುದ್ಧವಾಗಿಯೇನೂ ಇಲ್ಲ.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು.—ಆದ್ದರಿಂದ ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ಪ್ರತಿಯೊಂದು ಕ್ಲಾಜೂ ಸಹ ವಿವಾದಾಸ್ಪದವಾಗಿದೆ. ಇದನ್ನು ಸಮರ್ಥನೆಮಾಡಿ ಮಾತನಾಡಿದ ಶ್ರೀಮಾನ್ ಅನಂತರಾಮನ್‌ರವರು, ಭೀಮಪ್ಪನಾಯಕರು—ಎಲ್ಲರೂ ಇದರಲ್ಲಿ ತೊಂದರೆಗಳಿವೆಯೆಂಬುದನ್ನು ಒಪ್ಪಿದ್ದಾರೆ. ಅವರೂ ಕೇವಲ ಸಮರ್ಥನೆ ಮಾಡಬೇಕೆಂಬ ಉದ್ದೇಶಮಾತ್ರದಿಂದ ಸಮರ್ಥನೆಮಾಡಿದ್ದಾರೆ ಅಷ್ಟೆ. ಆದ್ದರಿಂದ ಈ ಮಸೂದೆಯನ್ನು ವಾಪಸ್ಸು ತೆಗೆದುಕೊಳ್ಳಬೇಕೆಂದು ನಾನು ಹೇಳುತ್ತೇನೆ.

Sri V. M. MASCRENHAS (St. John's Hill).—Sir, in my opinion the word 'Show House' may be modified. Both my friends Sri Pattabhiraman and Janab Imam have explained the defects involved in this. Why should a Billiards Table or a Dancing Hall also be taken into consideration? Dances are, generally, to-day the privilege of the Anglo-Indian and European communities and they smoke generally.

Sri H. SIDDAVEERAPPA.—There is Indian Dance also "Bharatha Natya."

Sri V. M. MASCARENHAS.—Dance Hall, I think, is meant for Anglo-Indians; we have hitherto understood it as such. Dances are mostly enjoyed by the Anglo-Indian community and this community always smokes. They do not take it as an offence against each other. Why should you penalise them? Similarly, why do you penalise

(SRI V. M. MASCERNHAS)

those who go to Clubs or Billiards Table? As my friends suggested, these two words must be modified and a general impression given that you do not want to penalise the community, but to show that smoking is a nuisance. If that is the implication of the Bill, I certainly support it.

ಶ್ರೀ ಎಂ. ಲಿಂಗಣ್ಣನವರು (ನಂಜನಗೂಡು).—ಅಧ್ಯಕ್ಷರೇ, ಈ ಮಸೂದೆಯ ವಿಷಯದಲ್ಲಿ ಸಾಕಾದಷ್ಟು ಚರ್ಚೆಯಾಗಿದೆ. ಈ ಮಸೂದೆಯ ಮುಖ್ಯ ಉದ್ದೇಶ ನಿಜವಾಗಿಯೂ ಯಾರು ಸಿಗರೇಟ್ ಸೇದುವುದಿಲ್ಲವೋ ಅವರಿಗೆ ತೊಂದರೆಯಾಗದಿರಲಿ ಎಂದು ನಾನು ತಿಳಿದುಕೊಂಡಿದ್ದೇನೆ. ಆ ದೃಷ್ಟಿಯಿಂದ ಈ ಮಸೂದೆಯನ್ನು ನೋಡುವುದಾದರೆ, ಈ ಮಸೂದಾ ಕಾನೂನಿನಲ್ಲಿರುವ 3-4 ವಿಷಯಗಳು ಇರಬಾರದಾಗಿತ್ತೆಂದು ನನಗೆನಿಸುತ್ತದೆ. ಮೊದಲನೆಯದಾಗಿ, (1)ನೆಯ ಕ್ಲಾಜಿನ 2ನೆಯ ಉಪವಿಧಿಯಲ್ಲಿ,

"It extends to the whole State of Mysore"

ಎಂದು ಹೇಳಿದೆ. ಮೈಸೂರು ದೇಶಕ್ಕೆಲ್ಲಾ ಇದು ಅನ್ವಯಿಸುತ್ತದೆಂದು ಹೇಳಿದೆ. ಈಗ ತಮಗೆ ಗೊತ್ತಿರುವ ಹಾಗೆ ಹಳ್ಳಿಗಳ ಕಡೆ, ನಾಟಕಗಳು, ಬಯಲುನಾಟಕಗಳು, ದೊಂಬರ ಕುಣಿತಗಳು, ಗೊಂಬೆ ಆಟಗಳು—ಇವೆಲ್ಲಾ ಇರುತ್ತವೆ. ಅಂಥ ಸಂದರ್ಭದಲ್ಲಿ ಈ ಕಾನೂನು ಅಷ್ಟು ಉಪಯೋಗವಾಗುತ್ತದೆಯೇ ಇಲ್ಲವೇ ಎಂಬುದನ್ನು ಯೋಚನೆಮಾಡಬೇಕು. ಏಕೆಂದರೆ ಈಗಾಗಲೇ ಪೋಲೀಸಿನವರು ಹಳ್ಳಿಗಳಿಗೆ ಹೋದರೆ ಜನ ಎಷ್ಟು ಭಯಪಡುತ್ತಾರೆ ಎಂಬುದು ಗೊತ್ತಿದೆ. ಹೀಗಿರುವಲ್ಲಿ ಈ ಮಸೂದೆಯೂ ಮುಂದೆ ಕಾನೂನಾದರೆ ಪೋಲೀಸಿನವರಿಂದ ಇನ್ನೂ ಹೆಚ್ಚಿಗೆ ತೊಂದರೆಯಾಗುತ್ತದೆಯೋ ಏನೋ ಎಂದೆನಿಸುತ್ತದೆ. ಆ ದೃಷ್ಟಿಯಿಂದ ನಾನು ಹೇಳುವುದೇನೆಂದರೆ, the operation of this Bill should be limited to city and town cinemas only.

Mr. SPEAKER.—In the definition in clause (2) the Hon'ble Member may see in the last line the words: "any other indoor amusement."

ಶ್ರೀ ಎಂ. ಲಿಂಗಣ್ಣನವರು.—ಅದರೊಳಗೆ Public Hall ಮತ್ತು Show House ಎಂಬುದಕ್ಕೆ ಕೊಟ್ಟಿರುವ ಅರ್ಥವಿವರಣೆಯಲ್ಲಿ ಇದೂ ಸೇರುತ್ತದೆ.

ಅಧ್ಯಕ್ಷರು.—ಬಯಲಾಟಕ್ಕೆ ಅನ್ವಯಿಸುವುದಿಲ್ಲವೆಂದು ಕಾಣುತ್ತದೆ.

ಶ್ರೀ ಎಂ. ಲಿಂಗಣ್ಣನವರು.—So far as this term is concerned, in a village there would be a public gathering, there would be a show and a compound would be put around it. And the Bill applies to any public gathering with a compound around. ಜೊತೆಗೆ ಈ ಹಳ್ಳಿಯ ನಾಟಕಗಳಿಗೆ ಕಾಂಪೌಂಡ್ ಬೇರೆ ಇರುತ್ತೆ. ಹಳ್ಳಿಗಳ ಬಯಲುನಾಟಕ ಎಂದರೆ, ಬಯಲಿನಲ್ಲಿ ಚಪ್ಪರಹಾಕಿ ನಾಟಕ ಆಡುವುದೆಂದು ಕೆಲವರು ತಿಳಿದುಕೊಂಡಿರಬಹುದು. ಆದರೆ ಈಚೀಚೆಗೆ ಅದೆಲ್ಲಾ ಬದಲಾವಣೆಯಾಗಿ, ಅವರೂ ರಾಮಾಯಣ, ಮುಂತಾದ ದೊಡ್ಡ ದೊಡ್ಡ ನಾಟಕಗಳನ್ನು ರೂಢಿಮಾಡಿಕೊಂಡು, ಅದಕ್ಕೆ ಟಿಕೀಟು ಇಟ್ಟುಕೊಂಡು ನಡೆಸುತ್ತಾರೆ. ಅಂಥ ಸಂದರ್ಭದಲ್ಲಿ ಈ ಅರ್ಥವಿವರಣೆಯಲ್ಲಿ ಏನು ಕೊಟ್ಟಿದ್ದಾರೋ ಅದು ಇಂಥಾ ನಾಟಕಗಳ ಕೆಲಸಕಾರ್ಯಗಳಿಗೂ ಅನ್ವಯಿಸುತ್ತದೆ.

This particular definition will come into operation and this definition is such that, in my humble opinion, this particular Bill need not be made operative all over the State. The operation of this Bill may be restricted, to the cities and towns. So far as villages are concerned, as I have pointed out, village dramas that have been practised on modern lines and dramas of up-to-date character are concerned, they would not be brought under the particular provision of this Bill. Because as we know the people in the villages may not able to follow the particular provi-ion of the enactment. As we have several provision that cannot be put into operation in villages, while agreeing with the principle and the broad provisions of this Bill..............

Sri K. HANUMANTHAIYA (Chief Minister).—I accept your idea. The performances in the rural areas which you refer to are held in the open field. Therefore it does not come within the provision of this Bill. 'Structure' is the phraseology adopted.

Sri M. LINGANNA.—I also hope that such occasions will not arise. ಹಳ್ಳಿಗಳಲ್ಲಿ ಇಂಥಾ ನಾಟಕಗಳಾಗುವ ಸಂದರ್ಭದಲ್ಲಿ ಈ ಕಾನೂನು ಅನ್ವಯಿಸದೇ ಹೋದರೆ ಸಂತೋಷ. And only two more points Sir. In sub-clause (3) of clause 3. 'police officer' is given the power to eject the person concerned.

Mr. SPEAKER.—That has been already pointed out. Any other point?

Sri B. NARAYANASWAMY (Mysore South).—Mr. Speaker Sir, I think the Government have brought a healthy Bill forward, just to prohibit indiscriminate smoking. It is not to prohibit smoking as such, but to restrict smoking and see that people do not smoke anywhere and everywhere. There are cases where people will smoke to the very face of the neighbour (laughter) and I know the Leader of the Opposition would not call it a fundamental right. If smoking, drinking and all these things are to constitute fundamental rights, I do not know where we will be.

Janab J. MOHAMED IMAM.—They do constitute. Even snuffing also. (Laughter.)

Sri B. NARAYANASWAMY.—I know and I am sure that my friend will agree that the fundamental right should be construed in a different way. You have to respect the rights of others and it is only then that the fundamental right will be a true fundamental right. As such they have brought this wise measure just to see that smoking is not done in a place of public resort and that too in a covered place. For example, in a cinema house you cannot go on smoking and endanger the inmates of the cinema house.

Mr. SPEAKER.—In particular places and on particular occasions.

Sri B. NARAYANASWAMY.—As a matter of fact in big cities even in buses also, you have seen a board 'smoking is prohibited'. Can you say it is not a good law? In places of public resort, places which are covered and wherefrom they cannot escape from fire, in such places smoking should be prohibited. The arguments that have been advanced by my friend, I do not think are very sound. Sri Pattabhiraman suggested some verbal changes. My friend Sri Bheemappa Naik suggested that there is a proviso in the Bill under which the Government can exempt certain places, but I think whenever Government feel that certain places have to be exempted, they will certainly do it; and as such, there is no difficulty in accepting this Bill.

Mr. SYDNEY THOMAS (Nominated).—Only one small suggestion Sir. If dances do not include ball-room dances, I think I will be satisfied.

Sri H. SIDDAVEERAPPA.—I have no idea of ball-room dances.

Mr. SYDNEY THOMAS.—If the Hon'ble Minister has not seen ball-room dances, then he has really missed a lot. (Laughter.)

ಶ್ರೀ ಜಿ. ಎ. ತಿಮ್ಮಪ್ಪಗೌಡರು (ಅರಕಲಗೂಡು).—ಮೈಸೂರು ಜೂ ಗಾರ್ಡನ್ ಮತ್ತು ದಸರಾ ಎಗ್ಜಿಬಿಷನ್‌ಗೆ ಕೂಡ ಈ ಕಾನೂನು ಅನ್ವಯಿಸುತ್ತದೆಯೇ ?

Sri H. SIDDAVEERAPPA.—There will be a separate Act for all that. I may say that the term 'Show House' does not apply to Dasara Exhibition and it cannot come within the purview of the Dasara Exhibition. My friend Sri Thimmappa Gowda will please see that the definition will not apply to a covered place like the Dasara Exhibition.

Sri A. BHEEMAPPA NAIK.—I submit Sir, it may, because it is an enclosure, as it is in Mysore, and there will be dances going on; jujutsu wrestling, everything will be going on. I submit that the definition applies to the Dasara Exhibition also Sir.

Sri H. SIDDAVEERAPPA.—I say this will refer to the Exhibition such as the Dasara Exhibition if ball-room dances, dramas, etc., that have been mentioned here, take place there.

(SRI H. SIDDAVEERAPPA)

Merely because it is an enclosure, these provisions will not apply.

Mr. SPEAKER.—If the Hon'ble Minister has to say anything by way of reply to the discussion, he can do so now.

Sri H. SIDDAVEERAPPA.—Sir, I heard with a good deal of interest the suggestions and the criticisms that have been levelled against this Bill. I thought it was a very innocuous Bill, and would be passed without any difficulty. But now I understand from my friend, the Leader of the Opposition, that certain points have to be considered. He very ably advocated the cause of smokers. Of course, I am sure I will not yield place to anybody so far as smoking is concerned. But what I am telling him is that while so doing, he should behave in such a manner, especially in places of public resort, as not to cause any annoyance or nuisance to others. That is all the point. My friend Sri Pattabhiraman said that it may mean trying to enforce morals on people by legislation. Far from it. The object of the Government is not to prohibit smoking. As a matter of fact the Government have no such intention. That is far from the mind of the Government. What the Government is trying to do is that in places of public resort, those that go to that place, particularly cinema houses, drama houses and soon, should not behave in such a manner as to cause—if I may be permitted to use that word—nuisance to others. There are smokers and of course my friend Janab Imam raised the point whether smoking is not a fundamental right. I had therefore to refer to the Fundamental Rights chapter in the Constitution again, because I was really apprehensive whether advertently or inadvertently, I had committed any breach of those provisions of the Fundamental Rights that had been embodied in the Constitution. I find that there is no such violation of Fundamental Rights provisions.

Janab J. MOHAMED IMAM.—I also used the word 'civil liberties'.

Sri H. SIDDAVEERAPPA.—I wish to say that 'civil liberties' have corresponding rights and obligations too. You cannot say "I am very much dejected in life and I have become philosophic and I want to die and nobody can stand between me and my creator." The law does not allow that. The law is there to protect every one and to protect society. The very object of the Bill is to see that in public places, places which are habitually resorted to by the public, no inconvenience is caused to others. What happens, I have seen in many places. As a matter of fact, I have even seen where one abhors the very idea of smoking sitting by the side of a person who will be smoking. They go out and vomit and come back and many people try to close their mouth and their nose. Supposing a man is made to sit like that for two or three hours, because another gentleman wants to amuse himself by smoking, what is the position? What is sought to be prohibited is not smoking but smoking for a prescribed period and within prescribed limits.

3 P.M.

I would like to emphasise the words 'prohibited period.' If that position is understood clearly, I am sure much of the criticism that is levelled will be taken away.

Of course, there is some force in the argument advanced by my friend Sri K. Pattabhiraman when he said that the word 'ejection' is very unhappy. I would request him to suggest any other word. Even at this stage I am prepared to accept it. I am not one of those who believe in using harsh words or trying to humiliate or insult others. As a matter of fact, I am one of those who believe that every citizen must be respected, but that is the only word that can be used in that context. When does 'ejection' come in? I am sure no Policeman in this State would summarily eject a person violating the rule. He will go to him and request him not to smoke and ejection comes in only...........

Sri K. HANUMANTHAIYA.—In fact, our Policemen are very tame.

Janab J. MOHAMED IMAM.—They are tame before the Chief Minister.

Sri H. SIDDAVEERAPPA.—Ejection comes in only when a particular gentleman says ' No, I shall smoke ' or when he says 'I am not going to obey'. Ejection is necessary, an evil necessity for this reason. Suppose the person goes on smoking. The very object with which smoking has been prohibited will not be given effect to because we cannot simply file a case and be satisfied. The object is to remove the nuisance. The Policeman makes proper approach. Ejection arises only when there is a total or wilful defiance of the law. Therefore, although the word may not be happy, I shall assure this Hon'ble House...........

Sri K. PATTABHIRAMAN.—The Hon'ble Minister is introducing certain expressions which are not warranted. Wilful disobedience or wilful defiance of the rule will not come to mind. The law gives the police officer authority to eject the man. That is all. If you are going to make it clear, I will be happy.

Sri H. SIDDAVEERAPPA.—As I have submitted and as I was about to make the point clearer, what I mean is this. When does ejection commence is the point; starting point of time at which the policeman goes and physically removes the smoker from the place, but all these things are matters that will have to be adjusted in proper working. Unless the man is bereft of all commonsense and unless he is free from all sorts of decency, he will never go and straightaway remove him. He will certainly go and request him not to smoke and ejection arises only when there is wilful defiance or in spite of the request the gentleman or the lady goes on smoking. Until then, this question does not arise at all. I may also give an assurance to this House that the civil liberties will not be curtailed. I have seen in Bombay and some of those big places separate smoke rooms are provided in big cinema houses. If anybody feels like smoking, he may go and sit in the lounge room and have a puff. It is only when the picture is being shown and when the dramatic performance is going on, such a thing is not allowed.

With regard to other things, my friend Mr. Mascarenhas was very particular and also Mr. Thomas, that this provision should not apply to particular dances called ' ball-room dances '. I may only say I will have a sympathetic view of the reference made. If need be, by a general order the Government are going to make the point clear that this will not refer to ball room dances and places where particularly the Anglo-Indian community and the European community go and have their dances and I would have had no hesitation in removing the word 'dances' in clause 2 (*b*) but for the fact that dances are not confined to only European dances; we have got Indian dances, some fine Bharat Natya dances; they switch off the lights and the dance goes on...........

Sri K. HANUMANTHAIYA.—They do not switch off the lights.

Sri H. SIDDAVEERAPPA.—What I meant by referring to it was, switching off the ordinary lights and having coloured lights—I wanted my friends to infer all that. What I say is, when such dances are going on, supposing some begin to smoke, certainly it will cause annoyance. Therefore, I would have never had any hesitation for the removal of the word 'dances' from clause 2(*h*) but for the fact that there are some Indian dances also where this clause will haveto be applied to. Therefore, in deference to the desire of some of my friends, I have no objection to remove some of the words in clause 2(*b*).

> " 'Show House' means any building or any roofed and enclosed structure, used ordinarily or occasionally for the demonstration or exhibition to the public, whether on payment or otherwise of cinematographic films, dramatical patomime or musical performances.........."

We may stop at that for the present and then remove the words ' dances, physical feats of human beings or animals, conjuring tricks or sleights of hand, boxing, wrestling, billiards or

(SRI H. SIDDAVEERAPPA.)

table-tennis competitions, or any other indoor amusement or diversion whatsoever." In deference to the desired of some of my friends and in particular in deference to the Leader of the Opposition, I will get these words deleted.

Mr. SPEAKER.—When clause 2 is taken up for consideration the Hon'ble Member can move an amendment.

Sri H. SIDDAVEERAPPA.—I will move an amendment at the proper time. I will give it in writing.

Sri A. BHEEMAPPA NAIK.—As regards police officers.

Sri H. SIDDAVEERAPPA.—So far as the police officer is concerned, I pondered over it, I thought over it specially after the objection was raised. What happens is, I can envisage a position where there may be some abuse, not that I cannot think of it, but particularly what happens is, supposing a smoker refuses to stop smoking, what should happen ? As I have said, if my friend Sri Pattabhiraman gives a more civilised word or if I may say so a polished word, I have no objection to substitute it for the word 'ejection'. I am amenable if there is anything that can be rectified. I have made that point quite clear.

Janab J. MOHAMED IMAM.—I would suggest that if any person who contravenes the provisions of this section shall be liable to be ejected after a previous warning. I do not want that he should be taken unawares. Let him be warned once or twice and if he still persists, then there will be reason for ejectment.

Mr. SPEAKER.—What is the difference between 'ejectment' and 'removal' ?

Janab J. MOHAMED IMAM.—Let him be warned once or twice and if he still persists, then he may be removed bodily.

Sri K. PATTABHIRAMAN.—A police officer can ask him to desist from smoking. If he persists, then he will have to be taken to the police station. You have rightly said. There is a sequence before we come to that particular position. Make it clear. Any person who contravenes the provisions of this section, on being requested to desist from smoking, persists, then he shall be liable to be ejected or some such thing.

Sri H. SIDDAVEERAPPA.—Let my friend move an amendment to that effect; I will accept it. I hope I have cleared several of the points. I think I have convinced the House and I am sure the House will accord its universal approval to this Bill.

Mr. SPEAKER.—The question is :

"That the Mysore Prohibition of Smoking in Show Houses and Public Halls Bill, 1952, be taken into consideration".

The motion was adopted.

Mr. SPEAKER.—The House will now rise for lunch and reassemble after half an hour.

The House rose for Lunch at Twelve Minutes past Three of the Clock and reassembled at Fortytwo Minutes past Three of the Clock.

[Mr. SPEAKER in the Chair.]

Mr SPEAKER.—Clauses—Clause 3.

*Sri K. PATTABHIRAMAN (Kolar).—Sir, I move.—

That for sub-clause (3) of clause 3, the following shall be substituted.

"Any person who contravenes the provisions of this Section and who on being asked by a Police Officer to desist from smoking persists, shall be liable to be excluded from the show house or public hall by such Police Officer and shall also be punishable with fine which may extend to fifty rupees and for a second or subsequent offence with fine which may extend to one hundred rupees."

Mr. SPEAKER.—Amendment moved.—

That for sub-clause (3) of clause 3. the following shall be substituted —

"Any person who contravenes the provisions of this Section and who on being asked by a Police Officer to desist from smoking persists, shall be liable to be excluded

from the show house or public hall by such Police Officer and shall also be punishable with fine which may extend to fifty rupees and for a second or subsequent offence with fine which may extend to one hundred rupees.

Sri H. SIDDAVEERAPPA.—I think, Sir, that the words 'shall be removed' are better than the word "excluded"

Sri K. PATTABHIRAMAN.—I have no objection.

Sri H. SIDDAVEERAPPA.—I accept the amendment with the correction, Sir. The word "removed" is substituted for the word "excluded".

Mr. SPEAKER.—The question is.—That for sub clause (3) of clause 3 the following shall be substituted.—

> "Any person who contravenes the provisions of this section and who on being asked by a Police Officer to desist from smoking persists, shall be liable to be removed from the show house or public hall by such Police Officer and shall also be punishable with fine which may extend to fifty rupees and for a second or subsequent offence with fine which may extend to one hundred rupees."

The motion was adopted.

Mr. SPEAKER.—The question is : "That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Mr. SPEAKER.—Clause 4.

Sri. K. PATTABHIRAMAN.—The next amendment I am proposing is in respect of clause 4. In clause 4 after the words "Every person" and until the word "shall" in line 4 thereof, substitute the following words in place of those now appearing : "Every person who is in charge of a public assembly or meeting in a public hall." My apprehension is that the words as they appear now in Section 4 may make a temporary chairman of a public meeting responsible for this conduct. Therefore I am suggesting the present amendment that the secretary or other person who is responsible for calling the meeting must naturally be responsible and not the temporary chairman who presides. I am bringing this amendment to remove that possible difficulty. Therefore, I beg to move, Sir,

> "That in sub-clause (1) of Section 4, for the words "every person who controls the deliberations of a public assembly or meeting in a Public Hall" the words "every person who is in charge of the arrangements of a public assembly or a meeting in a public hall" shall be substituted."

Mr. SPEAKER.—Amendment moved:

> "That in sub-clause (1) of Section 4, for the words 'every person who controls the deliberations of a public assembly or meeting in a Public Hall' the words "every person who is in charge of the arrangements of a public assembly or a meeting in a Public Hall" shall be substituted.

Sri H. SIDDAVEERAPPA.—Sir, I accept the amendment.

Mr. SPEAKER.—The question is :

> "That in sub-clause (1) of Section 4, for the words 'every person who controls the deliberations of a public assembly or meeting in a Public Hall , the words 'every person who is in charge of the arrangements of a public assembly or a meeting in a Public Hall' shall be substiuted. '

The motion was adopted.

Mr. SPEAKER.—The question is :
"That clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Mr. SPEAKER.—Clause 5.—The question is :

"That Clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Mr. SPEAKER.—Clause. 2

Sri H. SIDDAVEERAPPA.—With your premission, Sir, I move :

" That in sub-clause (*b*) of Clause 2, the words commencing from " dances " till the end of the sub-clause shall be omitted.

Sri B. HUTCHE GOWDA.—Supposing a man inhales the smoke and does not exhale, does it come under this provision ?

Sri H. SIDDAVEERAPPA.—Smoking means inhalation and exhalation as well.

Mr. SPEAKER.—Amendment moved

" That in sub-cluuse (*b*) of clause 2, the words commencing from " dances " till the end of the sub-clause shall be omitted."

Mr SPEAKER.—The question is :

"That in sub-clause (b) of clause 2, the words commencing from " dances" till the end of the sub-clause shall be omitted.

The motion was adopted.

Mr. SPEAKER.—The question is : " That Clause 2, as amended, stand part of the Bill."

The motion was adopted.

Clause 2, as amended, was added to the Bill.

Mr SPEAKER.—Clause 1. The question is :

" That Clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

Mr. SPEAKER.—Title and Preamble. The question is :

" That the Title and the Preamble stand part of the Bill. "

The motion was adopted.

The Title and the Preamble were added to the Bill.

Motion to pass.

Sri. H. SIDDAVEERAPPA.—Sir, I move :

" That the Mysore Prohibition of Smoking in Show Houses and Public Halls Bill, 1952, as amended be passed."

Mr. SPEAKER.—Motion moved :

" That the Mysore Prohibition of Smoking in Show Houses and Public Halls Bill, 1952, as amended, be passed."

*ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು (ತುರುವೇಕೆರೆ).—ಸ್ವಾಮಿ, ಈ ಬಿಲ್ಲಿನ ವಿಚಾರದಲ್ಲಿ ಅನೇಕ ಅನಾವಶ್ಯಕವಾದ ತೊಂದರೆಗಳಿತ್ತು ಎಂಬುದಾಗಿ ಸಭೆಯವರು ಅಭಿಪ್ರಾಯ ಪಟ್ಟಿದ್ದಕ್ಕೆ ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಬದಲಾವಣೆಮಾಡಲು ಮನ್ನಣೆ ಕೊಟ್ಟಿದ್ದಕ್ಕಾಗಿ ಅವರನ್ನು ವಂದಿಸುತ್ತೇನೆ. ಈ ಬಿಲ್ಲಿನಲ್ಲಿ ಅವರುಸೂಚಿಸಿದಷ್ಟು ಶಂಕೆಗಳನ್ನು ಇಟ್ಟುಕೊಳ್ಳಬಾರದಾಗಿತ್ತು ಎಂದು ನನ್ನ ಅಭಿಪ್ರಾಯ. ಏಕೆಂದರೆ ಸ್ವಾತಂತ್ರ್ಯ ಬಂದಿರತಕ್ಕ ಈ ಕಾಲದಲ್ಲಿ ನಮ್ಮ ನೆರೆಹೊರೆಯವರ ಅಭಿಪ್ರಾಯ ಮತ್ತು ಸೆಂಟಿಮೆಂಟ್ಸ್‌ಗೆ ಗೌರವ ಕೊಟ್ಟು ನಡೆದುಕೊಳ್ಳಬೇಕಾದದ್ದು ಒಂದು ಪದ್ಧತಿಯಾಗಿ ಅನುಸರಿಸಬೇಕೇ ಹೊರತು ಬರೀ ಕಾನೂನುಗಳ ಮೂಲಕ ನಿಷೇಧಿಸಿದರೆ ಅಷ್ಟಾಗಿ ಆಚರಣೆಗೆ ಬರುವುದಿಲ್ಲ. ಬಸ್ಸುಗಳಲ್ಲಿ ರೈಲುಗಳಲ್ಲಿ ಸಿಗರೇಟು ಸೇದಕೂಡದು ಎಂಬುದಾಗಿ ಇದ್ದರೂ ಕೂಡ ಅದನ್ನು ಅಷ್ಟಾಗಿ ಯಾರೂ ಗಮನಿಸುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಬರೀ ಆಕ್ಟು ಮಾಡುವುದು ಮುಖ್ಯವಲ್ಲ. ಜನಗಳಲ್ಲಿ ಒಂದು ಭಾವನೆ ಮೂಡಬೇಕು. ಅಲ್ಲದೆ ಮಾಡಿದ ಕಾನೂನನ್ನು ಜಾರಿಗೆ ತರುವಾಗ ಶ್ರದ್ಧೆಯಿಂದ ತರಬೇಕು. ಇಷ್ಟು ಮಾತ್ರ ಸರ್ಕಾರದವರಿಗೆ ಹೇಳಿ ನನ್ನ ಮಾತುಗಳನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

Sri H. SIDDAVEERAPPA.—I assure my friend Sri B. Hutche Gowda that Government are one with him that whenever a legislative enactment is passed it shall be put into force in right earnestness.

Mr. SPEAKER.—The question is :

"That the Mysore Prohibition of Smoking in Show Houses and Public Halls Bill, 1952, as amended be passed."

The motion was adopted.

The Mysore Places of public Resort Bill, 1952.

Motion to consider.

Sri H. SIDDAVEERAPPA (Minister for Home Affairs and Agriculture).—Sir, I move :

"That the Mysore Places of Public Resort Bill, 1952, be taken into consideration."

Sir, for the present, there is no law in Mysore for the regulation of places of public resort and entertainment though there have been laws for this purpose in other States. In Mysore, under section 44 of the Police Act, we used to maintain law and order at public places and places of public amusement. Now cities and towns have grown and places of public amusement have increased. So it is all the more necessary to maintain law and order in those places as well as to maintain and make adequate provisions for the safety of the places. This aspect of it came poignantly before the public mind after the disastrous fire at the All-India Industrial and Fine Arts Exhibition held at Cubbon Park last year. There was a tragedy and there was some fire and afterwards Government appointed a committee. The Committee after having carefully gone through the causes for that tragedy have recommended that a Bill of this nature be also introduced in Mysore. It is worthwhile noticing that in Madras also the necessity for such a Bill arose after the outbreak of fire at the People's Park in 1888 and after the attendant loss of lives and property.

The Statement of Objects and Reasons makes it clear why this Bill has been introduced. Government have made adequate provisions in this Bill for licenses being issued and for proper and adequate arrangements being made both for the maintenance of peace within those precincts as well as for the security from fire and other accidents. Licenses will have to be taken and if anybody wants to arrange for such places of public resort he will have to be amenable to the conditions and terms that may be imposed in the license. The District Magistrate is empowered to revise the orders whenever called upon. Penalties have been provided nnder clause 12 if there is any breach of the provisions of this Bill. I believe that this is a measure which is absolutely in the interests of the purpose for which this Bill has been introduced. The present Bill is only to supply a measure which was long felt. I do hope that with these few words Hon'ble Members are satisfied and will be pleased to accord their consent to this welcome measure.

Mr. SPEAKER.—Motion moved :

"That the Mysore Places of Public Resort Bill, 1952, be taken into consideration."

Janab J. MOHAMED IMAM (Jagalur).—Sir, I welcome this Bill and I may point out that the provisions made in it must be fool-proof and must be such that there will not be any recurrence of an accident like that which happened at the Cubbon Park a year back. The immediate provocation for this Bill, I am sure, is the incident at the Cubbon Park where many merchants suffered huge losses on account of the inflammable nature of the materials used for the construction of stalls. Government permit holding of exhibitions annually and the exhibition authorities invite many merchants to come and exhibit their goods in the exhibition area, and the merchants thinking that they will have good business bring all their merchandise and exhibit them for the benefit of the public. But the protection we give them and the protection they enjoy specially against fire is very meagre.

4 P.M.

The Government have been till now very indifferent towards adopting